

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ANNIE CRAWFORD,  
on behalf of herself and all  
others similarly situated,**

**Plaintiff,**

**v.**

**TALK AMERICA, INC.,  
a Pennsylvania corporation,**

**Defendant.**

**No. 05-CV-0180-DRH**

**ORDER**

**HERNDON, District Judge:**

Pending before the Court is Defendant's May 16, 2005 motion to compel arbitration and stay action pursuant to the Federal Arbitration Act, or alternatively, to stay the action in favor of the primary jurisdiction of the Federal Communications Commission (Doc. 22). As of this date, Crawford not responded to the motion. Pursuant to **LOCAL RULE 7.1(g)**, the Court considers this failure to respond as an

admission of the merits of the motion.<sup>1</sup> Thus, the Court **GRANTS** Defendant's motion. The Court **COMPELS** arbitration and **STAYS** this matter pending resolution by arbitration.

**IT IS SO ORDERED.**

Signed this 6th day of June, 2005.

/s/ David RHerndon  
**United States District Judge**

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<sup>1</sup>**LOCAL RULE 7.1(g)** provides in part: "A party opposing such motion shall have **ten (10) days** after the service of the motion to file a written response. Failure to file a timely response to a motion may, in the court's discretion, be considered an admission of the merits of the motion."